

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:08CV541

VIRGIL H. SUTHERLAND,)	
)	
Plaintiff,)	
)	
Vs.)	<u>ORDER OF DISMISSAL</u>
)	
MICHAEL J. ASTRUE, Commissioner)	
of Social Security,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court for dismissal based on Plaintiff's failure to pay the required filing fees.

On December 8, 2008, the Court denied the Plaintiff's application and motion to proceed in *forma pauperis*. **See Order, filed December 8, 2008.** The Order afforded Plaintiff 20 days from entry of the Order in which to pay the required fees and advised him that his failure to do so would result in summary dismissal of the action. To date, the required fees have not been received by the Clerk nor has Plaintiff shown cause for his failure to do so.

IT IS, THEREFORE, ORDERED that this action is hereby **DISMISSED** for failure to pay the required filing fees.

Signed: January 14, 2009

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

